

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**MARGARET SHERMAN, and
RICHARD SHERMAN,**

Plaintiffs,

vs.

**SHANGLI JIN XIN EXPORT FIREWORKS
FACTORY; SUNSONG AMERICA, INC.;
SHIU FUNG FIREWORKS CO. LTD.;
WINCO FIREWORKS, INC. and WINCO
FIREWORKS, INTERNATIONAL, LLC,**

Defendants.

8:04CV300

**REPORT AND
RECOMMENDATION**

For the reasons explained in the Order denying plaintiffs' MOTION TO DETERMINE SUFFICIENCY OF PROCESS ON DEFENDANT SHANGLI JIN XIN EXPORT FIREWORKS FACTORY and granting plaintiffs' MOTION FOR EXTENSION OF TIME TO DEMONSTRATE SERVICE ON DEFENDANT SHANGLI JIN XIN EXPORT FIREWORKS FACTORY, I find that Robert J. Weaver, or Bob Weaver, was improperly associated with or added as a party to this case. Therefore,

IT IS RECOMMENDED that Mr. Weaver's pro se Motion to be removed from the case (Filing 38) be granted and that Mr. Weaver be terminated as an "Interested Party."

DATED May 9, 2005.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**